

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	1:19cr59
v.)	
)	
DANIEL EVERETTE HALE)	

Government's Notice Pursuant to Section 10
of the Classified Information Procedures Act

The United States submits this Notice pursuant to Section 10 of the Classified Information Procedures Act, Title 18, U.S. Code Appendix III, identifying the portions of the materials upon which it reasonably expects to rely to establish the national defense and classified information elements of the offenses charged in the Superseding Indictment.

The Superseding Indictment charges the defendant with obtaining national defense information, in violation of 18 U.S.C. § 793(c); retention and transmission of national defense information, in violation of 18 U.S.C. § 793(e); causing the communication of national defense information, in violation of 18 U.S.C. § 793(e); disclosure of classified communications intelligence information, in violation of 18 U.S.C. § 798(a)(3); and theft of government property, in violation of 18 U.S.C. § 641.

The Indictment alleges between on or about February 28, 2014, and May 14, 2014, while working as a contractor assigned to the National Geospatial-Intelligence Agency ("NGA"), in Springfield, Virginia, the defendant printed from his TOP SECRET computer 23 documents unrelated to his work. At least 17 of these documents were provided to a Reporter and/or the Reporter's Online News Outlet, which published the documents in whole or in part between

October 2015 and August 2014. The eleven published documents listed below were marked as SECRET or TOP SECRET, and are the basis for Counts 1 to 4 of the Superseding Indictment (as well as part of the basis for Count 5):

Document	Date Printed	Date of Initial Publication	Classification
A	February 28, 2014	October 2015	SECRET
B	February 28, 2014	October 2015	SECRET
C	February 28, 2014	October 2015	SECRET
D	February 28, 2014	October 2015	SECRET
E	February 28, 2014	October 2015	TOP SECRET
F	February 28, 2014	October 2015	SECRET
G	April 3, 2014	April 2015	TOP SECRET
I	April 20, 2014	August 2014	SECRET
J	April 20, 2014	December 2015	SECRET
K	April 20, 2014	April 2015	TOP SECRET
M	May 14, 2014	August 2014	SECRET

The national defense information and classified materials upon which the government intends to rely to prove the charges are identified in the exhibit to this pleading. That exhibit clearly isolates the portions of each of the 11 documents listed above that contain the national defense information and classified materials upon which the government intends to prove the

charges. Because the materials are classified SECRET or TOP SECRET, we have filed the exhibit with the Classified Information Security Officer.

Respectfully submitted,

John C. Demers
Assistant Attorney General
National Security Division
United States Department of Justice

G. Zachary Terwilliger
United States Attorney

_____/s_____
Heather M. Schmidt
Senior Trial Attorney
Counterintelligence-Export Control Section
National Security Division
United States Department of Justice

_____/s_____
Gordon D. Kromberg
Alexander P. Berrang
Assistant United States Attorneys
Virginia Bar No. 33676
Attorneys for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
(703) 299-3700
(703) 837.8242 (fax)
gordon.kromberg@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September 2019, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all attorneys of record.

_____/s_____
Gordon D. Kromberg
Assistant United States Attorney
Virginia Bar No. 33676
Assistant United States Attorney
Attorney for the United States
2100 Jamieson Avenue
Alexandria, VA 22314
(703) 299-3700
(703) 837.8242 (fax)
gordon.kromberg@usdoj.gov